

February 10, 1999

Robert C. Shinn, Jr.
Commissioner
Department of Environmental Protection
CN 402
401 East State Street, 7th Floor
Trenton, NJ 08625-0402

Dear Commissioner Shinn:

The Ironbound Committee Against Toxic Wastes and the Newark Fire Officer's Local 1860 IAFF AFL-CIO-CLC demand the Department of Environmental Protection conduct a full, independent investigation into the December 17th fire at the Essex County Garbage Incinerator (Resource Recovery Facility).

The fire at the incinerator resulted in 37 firemen, and 11 employees going to the hospital. The fire raises serious questions about the safe operation at the incinerator and the incinerator's ability to handle emergency situations.

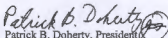
The investigation should address but not be limited to the following concerns:

- 1) According to the Star Ledger (January 5, 1999) the makers of the dry powder bleach, which is suspected as being involved in the fire, confirmed "that the material had been handled improperly after it had been transported to the plant for destruction". Were adequate safety procedures taken in handling this material?
- 2) What materials does the incinerator have permits to burn? What safety procedures are taken in burning these materials?
- 3) What is included in the type 27 waste (290 tons in November, 1998) that is burned at the incinerator? Can any of these materials be considered hazardous when burned with other materials that may be found in household garbage?
- 4) What classifications and types of waste do the New Jersey Solid Waste Commission and DEP recognize?
- 5) Why are other states and countries bringing garbage to the Essex County incinerator? In November, 1998 Mass., Connecticut, New York, and International locations all brought garbage there. What materials is the Essex County incinerator accepting that cannot be disposed of in locations closer to their places of origin? What risk is involved in burning these materials? For example, the Drano powder involved in the December 17th fire was manufactured in Wisconsin. The garbage incinerator got it from a solid waste broker located in Illinois.
- 6) How do the incinerator operators check on the safety of loads which they are about to burn? Is their inspection of loads they are about to burn adequate to detect hazardous materials? When do they contact the Fire Department prior to burning a load with "safety factor"?

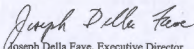
- 7) What is the possibility that a "toxic plume" (similar to the December 17th accident) but without a fire would not be detected?

We understand there are investigations of the fire currently being conducted by American Ref-Fuel, the Essex County Prosecutors Office and the Department of Labor under the Public Employee's Occupational Safety and Health Act (PEOSHA). The DEP should review the results of these investigations and complete its own independent investigation within ninety days. The Essex County incinerator continues to operate at capacity and the area residents and firefighters need to be assured it is operating in the safest manner possible.

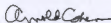
Sincerely,



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Garbage Incinerator Fire Injures Almost 50 People Important Answers Needed Now!

- Is the inspection system at the incinerator adequate?
- What is burned at the incinerator? Where does it come from? Is it hazardous material?
- Where is the garbage incinerator burning material from?
- Does the incinerator have permits to burn material like the powdered bleach?
- How do the incinerator operators check on the safety of loads which they are about to burn?
- When is the fire department told what was burning?
- What is the possibility of similar "toxic plumes" (like the recent incident), without the fire, which would not be detected, and would come out the smokestack?